



**PARK CITY COUNCIL MEETING MINUTES
445 MARSAC AVENUE
PARK CITY, UT 84060
SUMMIT COUNTY, UTAH**

January 28, 2016

The Council of Park City, Summit County, Utah, met in open meeting on January 28, 2016, at 2:30 p.m. in the City Council Chambers.

WORK SESSION

1. Recreation Advisory Board Interview:

Joe Cronley was interviewed by the Council and Ken Fisher, Recreation Manager. At the conclusion of the interview it was indicated the Council would discuss the four applicants and a decision would be made soon.

Council Member Beerman moved to close the meeting to discuss property and personnel at 2:51 p.m. Council Member Matsumoto seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

CLOSED SESSION

Council Member Matsumoto moved to adjourn from Closed Meeting. Council Member Beerman seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

II. STUDY SESSION

1. Division of Wildlife Resources Discussion:

Steve Ray and Cobi Jones, Urban Wildlife Managers, introduced themselves to the Council. There was some discussion on the wildlife at Round Valley. Council Member Matsumoto stated that when the City purchased this land, it was a goal to preserve the wildlife in that area. Council Member Henney asked if the Division of Wildlife Resources (DWR) policies were up-to-date. Jones stated the policies were very up-to-date and staff worked diligently to preserve wildlife and keep the public safe. He noted human life and safety always superseded animal life. Council Member Matsumoto asked why the elk herds were being removed. Jones explained DWR was the trusting guardian for the wildlife in Utah. They had authority for wildlife within the state. With regard to big game such as elk, the DWR established a healthy population level, which for this region was determined to be 2,600. There were factors that went into managing elk herds such as the effect the herds had on deer, on lands, etc. There were approximately 3,500 elk that

were currently in the region so some management of the herds was necessary. Ray indicated that some of the elk were relocated to another location within this area. In order to keep the herd at 2,600, more hunting permits could be issued. If the herd dropped below 2,600, fewer hunting permits would be issued.

Bruce Erickson, Planning Director, stated that when the City began to see erosion and plants that had been eaten away, that was a sign that the area was overpopulated. Council Member Beerman asked what intentions the DWR had for this area. Jones stated there needed to be education for handling wildlife, and trapping elk on private property was ongoing. It was indicated that if the DWR wanted to trap at Round Valley, they would first seek the City's permission.

Foster asked if Ray and Jones could come back at a future meeting to discuss how off-leash dogs at Round Valley would affect the wildlife there.

WORK SESSION (CONTINUED)

Council Questions and Comments:

Council Member Worel indicated she went to the Utah League of Cities and Towns (ULCT) luncheon and it was a great experience.

Council Member Matsumoto stated she went with Council Member Worel and Foster to the Sundance Women's Leadership luncheon. She commended staff for all their work with Sundance.

Council Member Gerber indicated she went with Mayor Thomas and Council Member Beerman to the Capitol and met the new Salt Lake City mayor, Mayor Biskupski, as well as Kraig Powell, Park City's representative in the House of Representatives. She also went on a ride along during Sundance and saw several staff members working late at night, and expressed her appreciation for their dedication.

Council Member Beerman stated he and Meg Ryan met with some high school students who were trying to form a youth council. He enjoyed the day at the Capitol and thanked Matt Dias, Myles Radaman and Karen Anderson for their work. He went to several Mountain Accord meetings and noted they would be going to Washington, DC, in March to present a proposal for federal land designation on the Wasatch, which would give the land additional protections. He also met with a staff member in the Salt Lake City Sustainability Department who was putting together a regional climate action network. They would be coming to the City with a proposal that they would like the City to participate in. Council Member Beerman noted that Salt Lake City Mayor Biskupski announced that she would like to mirror Park City's energy goals, and felt there were other cities that would like to join in on the conservation efforts of the City. He also thanked staff for their hard work during the Sundance Festival.

Mayor Thomas stated he attended the leadership event Monday and agreed that Mayor Biskupski was very interested in energy conservation. He did a walk about with Jason Glidden and Dave Gustafson on Main Street and understands what they do on a daily basis. He also attended an entrepreneurs' conference at Deer Valley with people from all over the country.

Matt Dias spoke about the delegates from Courchevel, France, who would be coming to the City next week. He noted some community partners – the Christian Center, the Chamber of Commerce and the Ski Association – which were hosting the delegation in various events during the week. There would also be a reception on Wednesday, February 3rd with the delegation and community members. Mayor Thomas stated this would be an excellent opportunity to learn from these delegates.

2. Appointment of City Council Liaison to an Arts and Culture Committee:

The Council appointed Council Member Worel to the Arts and Culture Committee. Council Member Henney was selected as an alternate.

3. Victim Advocacy Program Update:

Malena Stevens, Victims Advocate, and Jennifer Gray, presented this item. Stevens stated exciting things were going on with this program. An article was published in the Park Record on this program, so awareness of this service was becoming better known. It was indicated that there were now more Spanish speaking volunteers. She noted community partners were being worked with to help victims as well. She also asserted she was working on an assessment for evaluation purposes.

Gray stated the County was going to implement an evidence based protocol. There would be a 13 question assessment to determine if victims had a high risk of being killed by their partners. The victims were receiving more support and given information about the Peace House. Stevens listed the agencies involved in this program.

Mayor Thomas stated the statistics in the packet were sobering. Gray spoke about the expansion plans for the Peace House. Council Member Matsumoto stated she felt there was underreporting of abuse in the Latino community based on the statistics in the packet. Stevens stated that could be from misunderstanding or fear of law enforcement, but efforts were being made to reach out to this group. She indicated that the Peace House was doing an excellent job reaching this population.

4. Additional Resort Communities Sales Tax Budget Update:

Nate Rockwood, Capital Budget, Debt and Grants Manager, stated this presentation was the kick off to the budget process for the coming year. He reviewed the history of the Additional Resort Sales Tax. This tax was implemented in 2013. He indicated that over the past couple of years, Council allocated some of the revenue from these funds to the Deer Valley Drive and the Main Street Asset Management projects, and this year

money would be allocated to the Affordable Housing and Land Acquisition projects. He thought this tax was an important tool for accomplishing the goals of the Council.

Rockwood showed projected forecasts for the next 15 years of revenue from this tax. He cautioned the Council not to rely completely on this sales tax revenue in case there was a downturn in the economy. He stated the debt from these capital projects would increase until 2023 and then it would level off, and would be paid for with this sales tax. If there was a downturn in the economy, some of the projects could be delayed so the debt would stay manageable.

Council Member Beerman asked about the GOED money used for the Deer Valley Drive project. Rockwood stated that money was allocated but it wasn't shown, and noted he would add that back into the budget. Council Member Beerman asked about the Maintenance Fund, indicating he thought that was a replacement fund. Rockwood stated the \$100,000 was in the charts in the packet, and he considered this fund as a year-to-year replacement fund. Council Member Beerman stated the state was requiring a Storm Water Utility Fund. Clint McAfee, Water Manager, stated the State designated Park City as an MS4 City, which meant certain measures related to storm water would now be required. He indicated he would address this at the February 4th meeting and would talk about the funding on February 25th. Council Member Beerman asked if the City decided to form a utility fee, would it impact how the City could spend the funds. Rockwood stated the \$8.5 million allocated to the fund would make any proposed utility fee more reasonable. Council Member Henney asked if there was a possibility to reallocate the \$8.5 million to something else. Rockwood affirmed that reallocation was possible. Council Member Henney asked if there was flexibility with regard to these funds. Rockwood stated until a bond is issued, there is flexibility on how to use these funds. Further discussion ensued on cash versus debt.

5. 2016 Monthly Energy Update: Utilities:

Ann Ober and Matt Abbott, Sustainability, presented this item. Ober stated she and Abbott would be meeting with Salt Lake City staff to talk about the Net Zero Carbon Goal that Salt Lake City wanted to achieve by 2032. She also indicated they had met with Rocky Mountain Power and would be having regular meetings with them.

Abbott explained the environmental impact of coal and natural gas, and stated that 68% of the City's energy usage was from coal and natural gas. Ober stated they wanted to shift to electricity and thus wanted to develop a relationship with Rocky Mountain Power (RMP). She was hopeful RMP would help define the City's goals. She noted there were options and they were looking at them all. Abbott indicated one option was that there would be an opportunity to buy bio-gas in the next couple of years. He felt it would be an easy switch from natural gas to bio-gas.

Ober requested that a Council member take part when negotiations began with RMP. Council Member Beerman and Mayor Thomas volunteered as the primary member and

alternate member, respectively, for this task. Ober thought this would entail a couple hours per week of work on this project. She also stated she was starting a community advisory group that would be involved, and that would help get this information out to the rest of the community.

Council Member Henney felt there was an urgent timeline in order to win the Georgetown Energy Prize. He asked what needed to be done to help achieve this goal. Abbott felt that encouraging the community to change out their light bulbs and getting smart thermostats would be a great accomplishment. Council Member Beerman asked if the City had the resources it needed to pursue and win this prize. Abbott was confident that the City could achieve this prize. Council Member Beerman also asked about engaging those that worked in the energy related community or that advocated for energy conservation, and noted these people were eager to help. Mayor Thomas also requested restrictions or incentives to combat heated sidewalks and heating the outdoors.

6. Lower Park Ave RFP Scope Direction:

Jonathan Weidenhamer, Phyllis Robinson and Kim Clark presented this item. Weidenhamer stated he broadened the scope of looking for the ideal location for a community center. He asked if the Council wanted to also discuss a use for Miner's Hospital tonight as well as housing. He showed a preliminary concept design at the City Park, which included a multiuse community center, and indicated the concept design had been done as part of the Mountain Recreational Facilities Master Plan. He felt this concept design was exciting, but stressed that staff would do a feasibility study on all the options. His recommendation was to proceed with the RFP and isolate the housing issue.

Council Member Matsumoto acknowledged that the library was using the Mawhinney parking lot, but thought a building above the parking lot might be considered. She was concerned with the concept design presented, and thought that seniors might not want to be around children, although if one floor was dedicated to seniors, that could be an option as well. She liked the idea of isolating the fire station and going forward with the housing element of the project. Council Member Gerber was excited to see the possibility of the housing and the community center projects being separated. She indicated she would like to see housing on the east/west corridor as well, so people would be able to move into homes sooner. Foster stated if the whole corridor was done at the same time as the fire station lot, it would not be finished by 2017, so it might be faster to focus on the fire station lot first. Council Member Gerber asserted the fire station could be fast tracked while the corridor proceeded as planned.

Council Member Beerman was in favor of fast tracking the fire station and thought the rest of the parcel should move forward as well. He thought the concept design for a potential senior center had some great possibilities. He suggested keeping the senior center in place and building around it, or taking the senior center and moving it north of

the Mawhinney lot. The parking could then be expanded and minimum impact would come from this option.

Mayor Thomas stated a critical concern was housing and agreed with Council Members Beerman and Gerber. He hoped to conserve the historic component of the senior center and stated this might happen by building the foundation on the Mawhinney lot and moving the building onto the lot. Foster stated a parking analysis would be needed for that lot before any decisions were made.

Council Member Worel supported Council Member Beerman's proposal and also stressed that the Mawhinney lot needed to stay protected because the parking was needed by the library. Council Member Henney stated his top priority was housing as well. He hoped housing could be constructed on the fire station lot sooner than later. His next priority would be housing behind the senior center and his last priority was a community center.

Council Member Matsumoto agreed that the Mawhinney lot needed to be protected, but the lot to the north of the Mawhinney lot might accommodate a senior center with additional parking. She agreed that housing on the fire station lot needed to go forward quickly and then the Council could work on the other things. Council Member Gerber noted that housing in this area might take pressure off the library parking because those residents could walk to the library. Foster stated the concept design presented tonight would allow for a multiuse facility so the building wouldn't sit empty five days a week. Council Member Beerman was not comfortable taking the seniors' space away until he could hear from the seniors on this topic. Council Member Henney agreed that he would like to hear from the seniors as well. He indicated there was value in keeping the current building and upgrades could be made, even if the building was moved to a different location. Rhoda Stauffer, Housing Specialist, stated she and Weidenhamer had met with the seniors many times, and one voice didn't want to move out, but all the other seniors were in favor of having a new space for their center.

Weidenhamer reviewed that the consensus was to prioritize housing on Park Avenue and to evaluate moving the senior center to the Mawhinney lot. Ken Fisher, Recreation Manager, stated some designs would be put out for the Recreational Facilities Master Plan in May. He felt there was value in having a multi-generational building where kids and seniors could interact. Council Member Gerber summarized that the senior building could be moved, clearing the block to accommodate more housing, and the community center could be a different discussion, along with the Recreational Facilities Master Plan.

Weidenhamer stated the feasibility study would include four options for the Council to consider. He felt isolating the housing priority at the fire station was good, but it would not be easy to isolate the housing on Woodside. It was indicated that Fisher's project

would be going on simultaneously. Council Member Beerman stated the fire station lot needed to be freed up to construct housing and this was the urgent priority.

REGULAR MEETING

III. Roll Call

Attendee Name	Title	Status
Jack Thomas	Mayor	Present
Andy Beerman	Council Member	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Cindy Matsumoto	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	City Recorder	Present

IV. Communications and Disclosures from Council and Staff

Manager's Report – Park City Library Listed on National Register of Historic Places:

Mayor Thomas thought it was a rare occasion that a community would have a building that was put on the historic register. He praised several of the staff, including Anya Grahn, who worked through the application process. Grahn stated there were many who made this possible. Erickson explained the major renovation on the inside while keeping the outside of the building intact.

Manager's Report – Old Town Waste and Recycling Receptacle Update:

Council Member Worel asked if this old town project would be implemented Citywide. Abbott indicated direction from Council was to respond to a specific request only for old town. Council Member Henney stated if the Council heard from another neighborhood, they would consider it. Council Member Matsumoto stated many neighborhoods had HOAs that monitored waste receptacles.

Manager's Report – Vehicle Idling Update:

Mayor Thomas opened the meeting for public comments.

Hylton Early stated he was interested in seeing an enforcement plan for idling vehicles. He didn't think a dent had been made in correcting this problem and referred to the statistics in the report. He noted that Mayor Biskupski applauded Park City's Net Zero Carbon Energy goal. He was impressed that she had taken the time to show that her

priority was conservation, including the vehicle idling issue. He hoped enforcement for idling violators could be stepped up.

Lynn Ware Peek, KCPW, stated yesterday a man was in cardiac arrest on Main Street, and an AED was located on Main Street, and it saved his life. Foster stated a seasonal Parks employee who worked for a jeweler in the winter, knew of the AED location and brought it over to help the man.

Mike Deady, General Manager of Ski Butlers, stated he had many vehicles in his business. He had made a strong effort to train his employees on not idling, and he felt that turning off cars was an easy way to help the environment.

Council Member Beerman agreed with Early that the City shouldn't wait until pollution was visible before action was taken. He hoped the City could formulate an enforcement plan and until one was created, he suggested that the parking employees might be able to help with enforcement. Council Member Gerber suggested a day could be assigned for staff to target idling and educate people in the community.

Chief Carpenter stated he would be happy to have patrol increase enforcement of idling, but acknowledged that there was a health and welfare portion of the ordinance that exempted cars with children inside. Matt Abbott stated the temperature exemption was removed and a time limit of one minute was set in the ordinance.

Council Member Henney felt this issue should be brought back to a Work Session to discuss who should enforce idling. He thought there could be a better solution than assigning this enforcement to the Police Department.

Manager's Report – Western Summit County Project Master Agreement Update:

Manager's Report – Quarterly Financial Report:

Manager's Report – 2015 Holiday Summary:

V. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Ali Ziesler expressed concern over the off-leash dog laws. She related an incident where she received a dog bite from an off-leash dog. She read from the code and noted that she and her family enjoyed going to Round Valley and felt having this off-leash law with no enforcement would be a problem and hazard. Dogs liked to chase bikes, runners, etc. She stated enforcement would take place after someone was bitten, but by then it would be too late. She urged the Council to reevaluate this law before summer when recreation heightens.

Council Member Henney noted the pilot program would go until July and would then be evaluated. Foster indicated the City and County were in discussions on enforcement. Council Member Gerber noted she saw Animal Control officers at Round Valley the other day. Council Member Beerman clarified that no laws had been changed, but two areas were designated for this pilot program. He asked for her patience as the City worked through the program.

VI. Consideration of Minutes

1. Consideration of a Request to Approve the City Council Meeting Minutes from January 4, 2016:

Council Member Gerber moved to approve the City Council Meeting minutes from January 4, 2016. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VII. Consent Agenda

1. Recreation Facilities Master Plan Contract Addendum:

2. Appointments to Blue Ribbon Citizens Advisory Committee to Focus on Remote Parking Solutions in the Greater Park City Area:

Council Member Matsumoto moved to approve the Consent Agenda. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VIII. New Business

1. Consideration of Ordinance 16-07, an Ordinance Amending Title 4- Licensing: Chapter 1, Definitions; and Chapter 8, Master Festival License, of the Municipal Code of Park City, Utah:

Minda Stockdale and Jenny Dierson, Special Events, presented this item. Stockdale stated very few changes were made since the discussion in the last Work Session. Council Member Worel asked what would happen if the \$200,000 was awarded in the first application period, because then nothing would be left for those applying during the second application period. It was indicated that from past application periods, it would be unlikely that the entire fund would be used in one application period.

Council Member Henney asked for an example of an event where someone would ask for a fee reduction. Dierson stated the Deer Valley World Cup was important for the community, and so if they needed some fees reduced, staff looked at the economic

benefit to the community. She noted there were eight areas where fee reductions were considered.

Council Member Henney moved to approve Ordinance 16-07, an ordinance amending Title 4-Licensing: Chapter 1, Definitions; and Chapter 8, Master Festival License, of the Municipal Code of Park City, Utah. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

2. Consideration of Approval of Joint Venture MOU Extension:

Jonathan Weidenhamer, Economic Development Manager, reviewed that this item was tabled because the Council had concerns with this agreement and needed more information. Staff recommended that this one year extension be approved.

Council Member Henney supported extending the agreement for one year. He asked if there was a way to make St. Regis eligible to be represented by the Chamber. Harrington stated he would have to look into it, and noted he didn't think the Chamber could be required to waive the fees, but there were other alternatives. He stated the prior Council was successful in negotiating this previously because there was an intergovernmental agreement with regard to tax revenue and the Council had no control over that. It was thought this problem would be solved when there was more development. Weidenhamer stated St. Regis had Phase II in the pipeline to be developed and they would be within the City limits. Foster stated the Chamber had 30 members that would need to agree to change the bylaws if the Council didn't approve this agreement. She indicated that many were anxious to find alternatives to this issue.

Council Member Worel stated the current bylaws didn't allow St. Regis to contribute, so it would be logical to change the bylaws. Council Member Beerman stated he met with Bill Malone and although he didn't change his opinion on this issue, he realized there were relationship benefits from this donation. Foster explained the lodging fees and transient room tax benefits. Council Member Matsumoto indicated this was not a perfect solution, but the benefits the City received were economic, so she supported going forward for the next year and hopefully something could be worked out during that time.

Council Member Gerber was in favor of supporting Bob Kohler. Weidenhamer stated the agreement could be denied and the housekeeping item approved. Foster stated the Chamber and St. Regis were very clear that if this was approved, no further extensions would be given.

Council Member Matsumoto moved to approve the Joint Venture MOU Extension. Council Member Henney seconded the motion.

RESULT: FAILED

AYES: Council Members Henney and Matsumoto

NAYS: Council Members Beerman, Gerber and Worel

Council Member Beerman moved to deny the St. Regis Agreement and approve the housekeeping portion of the Memorandum of Understanding as set forth in the staff report under Option Two. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

3. 2016 Legislative Platform and Overview:

Matt Dias, Assistant City Manager, stated it was a busy week with the Legislature opening on Monday. He reviewed that he and Foster went to a meeting with ULCT and observed the issues that were being worked on. Yesterday was Local Officials' day at the Capitol and it was great for the legislators to see that the City was involved with what was going on there. Dias stated it would be helpful for Council to give him direction for bills being considered. He listed some parameters that the City would agree to generally, which were listed in the packet. He noted there were some bills of interest in the pipeline, including nightly rentals, public safety legislation, a tax bill for transportation and an online sales tax bill.

Council Member Worel stated she was in favor of the platform and was interested in Medicaid or the Healthcare Platform, and asked if the City had influence in that area. Dias stated last year the City was supportive of this issue, and in talking to Kraig Powell, State Representative, Powell felt something with regard to healthcare would be passed this year.

Council Member Beerman stated there was a Wildland Fire bill that had been worked on by Liza Simpson, and he appreciated her involvement in it. He also thanked Dias for his work at the Legislature, and the great asset he was there. Foster stated Dias would be a lead staffer on the nightly rental issue. The Council supported the platform as presented by Dias.

IX. Adjournment

With no further business, the meeting was adjourned.

Michelle Kellogg, Park City Recorder